

**A SUBSTITUTE RESOLUTION
BY CITY UTILITIES COMMITTEE**

A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE SIXTH AMENDMENT TO THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE ATLANTA REGIONAL COMMISSION (ARC) AND THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY AND THE ATLANTA FULTON COUNTY WATER RESOURCES COMMISSION (AFCWRC); TO PROVIDE FOR PAYMENTS PURSUANT TO THE AGREEMENT FOR AND ON BEHALF OF THE CITY IN THE AMOUNT OF ONE HUNDRED THOUSAND AND 00/00 DOLLARS (\$100,000.00) AND FOR AND ON BEHALF AFCWRC IN THE AMOUNT OF FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) IN ORDER TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO WATER SUPPLY. ALL COST SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 2J01 524001 Q11101 (CONSULTANT & PROFESSIONAL SERVICES, OFFICE OF THE COMMISSIONER) IN THE AMOUNT OF \$100,000.00 AND 2J01 524001 Q69001 (CONSULTANT AND PROFESSIONAL SERVICES, NORTH AREA TREATMENT PLANT) IN THE AMOUNT OF \$50,000.00; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta entered into a Technical Assistance Agreement as part of a cooperative effort with other governmental agencies to insure that its citizens will continue to receive the desired quantity and quality of water; and

WHEREAS, the parties have previously provided funding for the work authorized by the Agreement by amendments dated May 20, 1996, April 5, 1999, November 13, 2000, November 26, 2001 and, most recently, pursuant to 03-R-0785, December 10, 2002; and

WHEREAS, additional funds are needed to provide analysis of technical responses to the various scenarios presented during the course of the tri-states negotiations in accordance with the Agreement; and

WHEREAS, the parties wish to extend the term of the Agreement by one (1) year and to make an additional payment of \$100,000.00 each (in a total contract amount not to exceed \$700,000.00 by each party); and

WHEREAS, the City of Atlanta's share of such payments would be \$100,000.00 on behalf of the City and \$50,000.00 on behalf of the City's portion of the Atlanta Fulton County Water Resources Commission (AFCWRC).

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA THAT:

Section 1: The Mayor is hereby authorized to execute an amendment to the Technical Assistance Agreement with the Atlanta Regional Commission (ARC) and other parties to extend the term of the Agreement by one (1) year and to make payments as described herein. The City Attorney is hereby directed to prepare an amendment to the said Agreement for execution by the Mayor and approval as to form by the City Attorney.

Section 2: The Chief Financial Officer is hereby authorized to make payments as follows: to ARC in the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to Atlanta Fulton County Water Resources Commission (AFCWRC) in the amount of Fifty Thousand and 00/100 Dollars (\$50,000.00).

Section 3: The amendment to this Agreement shall not become binding on the City, and the City shall incur no liability upon same, until the amendment has been executed by the Mayor and delivered to all parties.

Section 4: Payments made pursuant to this Resolution shall be charged to and paid from Fund Account and Center number: 2J01 524001 Q11101 (Consultant & Professional Services, Office of the Commissioner) in the amount of \$100,000.00 and 2J01 524001 Q69001 (Consultant and Professional Services, North Area Treatment Plant) in the amount of \$50,000.